THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.19626 of 1997

Dated: 19.01.2007

Between:

Padmavathi Lakshmi Narasamma w/o late Subba Rao
R/o Uppayyapalem village, H/o Sarabhavaram,
Devipatnam Mandal, East Godavari District.

..... PETITIONER

AND

Mandal Revenue Officer, Devipatnam,
East Godavari District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.19626 of 1997

ORDER:

This writ petition is filed seeking a mandamus restraining the respondents from acquiring the land of the petitioner admeasuring Ac.1.70 cents situated at Uppayapalem village H/o Sarabhavaram, Rampachodavaram Taluk, East Godavari District and further directing the respondents to issue settlement patta in her favour in respect of the said land.

It is the case of the petitioner that her husband by name Subba Rao purchased the said land from Gandepalli Mahalakshmi and others under a registered sale deed dated 11.06.1973, and her husband was in possession of the said land. After his death, the petitioner and her

children continued to be in possession of the said land. While so, the Mandal Revenue Officer Devipatnam-first respondent herein, proposed to acquire the said land without issuing any notice to her and without following due process of law. Hence, she seeks to restrain the respondents from taking the possession of the said land and also seeks a direction to the respondents to grant settlement patta in her favour in respect of the said land.

A detailed counter is filed on behalf of the respondents stating that the petitioner is habituated in filing the writ petitions without approaching them and if the petitioner has any grievance, she can approach them for appropriate orders.

Heard both the counsel.

In the light of the averments made by the respondents in their counter, this Court is of the view that the petitioner can approach the competent authority for redressal of her grievance.

Accordingly, the writ petition is disposed of directing the petitioner to make a representation to the competent authority, and on such representation, the competent authority shall hold an enquiry and pass appropriate orders, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. As the petitioner states that there is threat of her dispossession, both the parties are directed to maintain status quo obtaining as on today pending disposal of the said enquiry. There shall be no order as to costs.

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19.01.2007

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